

OCT 27 2006

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JOHN F. CORCORAN, CLERK
BY: *S. Saylor*
DEPUTY CLERK

GREELY BALL,
Petitioner,

Civil Action No. 7:06cv00632

v.

FINAL ORDER

**COMMONWEALTH OF VIRGINIA
DEPT. OF CORRECTIONS
DIRECTOR, et al.,
Respondents.**

By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that the Ball's 28 U.S.C. § 2254 petition shall be and hereby is **DISMISSED** without prejudice and this action shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to the petitioner and counsel for the respondent.

ENTER: This 26th day of October, 2006.

United States District Judge